

CLOSED, RELATED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:03-cv-08961-SAS**

Geier, et al v. American Perm., et al  
Assigned to: Judge Shira A. Scheindlin  
Demand: \$9,999,000  
Related Case: 1:01-md-01428-SAS-THK  
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 11/10/2003  
Date Terminated: 07/09/2007  
Jury Demand: Both  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

**Plaintiff**

**Herman Geier**

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		box on 5/10/07 5:18 PM) Original document filed under 01 md 1428 as Doc. #285 (sn) (Entered: 05/15/2007)
05/10/2007		REPLY MEMORANDUM OF LAW in Support of Motion of Bartlett McDonough Bastone and Monaghan, LLP and Clifford A. Bartlett, Jr. to Quash Subpoena Served on Behalf of Foreign Pltffs. (Received in Night Deposit box on 5/10/07 5:18 PM) Original document filed under 01 md 1428 as Doc. #286 (sn) Modified on 5/15/2007 (sn). (Entered: 05/15/2007)
05/15/2007		ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Edward D. Fagan dated 5/10/07 re: Counsel for the Blaimauer, Geier & Mitsumoto plttfs requests that the Court So Order this letter so that the docket can accurately reflect 5/14/07 as the date for plttfs' reply to the pending Motion to Disqualify Mr. Haesloop and his firm and Motion for Imposition of Sanctions Related to Spoliation of Evidence as against Mr. Haesloop, his firm, Omniglow, Cyalume and St. Paul. ENDORSEMENT: Pltffs' request is granted. Pltffs' reply shall be due 5/14/07. (Signed by Judge Shira A. Scheindlin on 5/14/07) Original document filed under 01 md 1428 as Doc. #287. (sn) (Entered: 05/15/2007)
05/17/2007		MOTION to sanction plaintiffs'counselunder 28 U.S.C. section 1927; and MOTION to Disqualify Edward Fagan, Ese., as plaintiffs' counsel. Document filed by Bosch Rexroth Corporation. (orig. docmt dktd in case no. 03 cv 89060, docmt #159)(dj) (Entered: 05/18/2007)
05/17/2007		MEMORANDUM OF LAW in Support re: MOTION for Sanctions. MOTION to Disqualify. Document filed by Bosch Rexroth Corporation. (orig. docmt dktd in case no. 03 cv 8960, docmt #160) (dj) (Entered: 05/18/2007)
05/17/2007		DECLARATION of Paul P. Rooney in Support re: MOTION for Sanctions. MOTION to Disqualify.. Document filed by Bosch Rexroth Corporation.(orig. docmt dktd in case no 03 cv 8960, docmt #161) (dj) (Entered: 05/18/2007)
06/20/2007	<u>65</u>	MEMORANDUM OPINION & ORDER # 94808... In accordance with this Court's findings that ptffs' choice of forum is entitled to greatly diminished deference, that Australia is an adequate alternative forum, and that the scales of convenience tip overwhelmingly in favor of dismissal, all five actions within this MDL brought solely on behalf of foreign plaintiffs are dismissed on the ground of forum non conveniens. The Clerk of Court is directed to close these cases [Nos. 03-8960, 03-8961, 06-2811, 07-935 and 07-3881. This Document relates to 03-8960, 03-8961, 06-2811, 07-935, 07-3881. (Signed by Judge Shira A. Scheindlin on 6/19/07) (rjm) (Entered: 06/20/2007)
06/25/2007	<u>66</u>	NOTICE of of Filing of Affidavit of Bias pursuant to 28 USC Sec. 144. Document filed by Herman Geier. (Attachments: # <u>1</u> Affidavit of Bias pursuant to 28 USC Sec. 144 submitted by Dr. Bernd Geier# <u>2</u> Appendix Signature Page of Dr. Bernd Geier)(Fagan, Edward) (Entered: 06/25/2007)
06/29/2007		DEFENDANTS' JOINT RESPONSE re: <u>66</u> Notice Of Declarations of Bias under 28 USC 144. Original Document filed in 03cv8960 doc. #167. Document filed by American Cyanamid Inc., Omniglow Corporation, Dean Reese, Dran

		Reese, Corporate Defendants Doe 1-10, Bosch Rexroth Corporation, The Bosch Group, WIKA, Siemens AG, Hydac Technology Corp., Calume Technologies Inc., Omniglow Limited Partners Of NY, Sciens Capital Partners, Siemens Transportation Systems Corp, Wika Instrument Corporation. (jar) (Entered: 07/12/2007)
06/29/2007		DECLARATION of Ryan M. Morettini in Support re: DEFENDANTS' JOINT RESPONSE to Notice Of Declarations of Bias under 28 USC 144. Original Document filed in 03cv8960 doc. #168. Document filed by American Cyanamid Inc., Dean Reese, Dran Reese, Corporate Defendants Doe 1-10, Bosch Rexroth Corporation, The Bosch Group, WIKA, Siemens AG, Hydac Technology Corp., Calume Technologies Inc., Omniglow Limited Partners Of NY, Sciens Capital Partners, Siemens Transportation Systems Corp, Wika Instrument Corporation. (jar) (Entered: 07/12/2007)
07/04/2007	<u>67</u>	MOTION for Extension of Time to File <i>Motions for Relief Related to Opinion and Order Entered on 20 June 2007, including Reconsideration pursuant to Local Rule 6.3 and FRCP 60 (b), Intervention pursuant to FRCP 24 (b), Recusal pursuant to 28 USC Secs. 144 &amp; 455, to Supplement the Record and for Other Relief</i> . Document filed by Herman Geier. (Attachments: # <u>1</u> Affidavit of Fagan and Geier in Support of Motion# <u>2</u> Supplement Fagan and Geier Declaration Signature Page# <u>3</u> Exhibit 1 to Fagan and Geier Affidavit - Documents to Supplement the Record# <u>4</u> Exhibit 2 to Fagan and Geier Affidavit - Errors, Abuse of Discretion and Instances of Alleged Bias, Prejudice and Ex Parte Communications)(Fagan, Edward) (Entered: 07/04/2007)
07/09/2007		CLERK'S JUDGMENT That for the reasons stated in the Court's Opinion and Order dated June 19, 2007, all five actions within this MDL brought solely on behalf of foreign plaintiffs on the grounds of forum non conveniens are dismissed; accordingly, these cases, [Nos. 03 civ. 8960; 03 Civ. 8961; 06 Civ. 2811; 07 Civ. 0935; and 07 Civ.3881], are closed (Orig. filed in case no. 01 MDL 1428 (SAS) as doc. # 307). (Signed by J. Michael McMahon, clerk on 7/9/07) (ml) (Entered: 07/09/2007)
07/31/2007		MEMORANDUM OF LAW in Support of motion for (1)Reconsideration and other relief pursuant to Local Rule 6.3 & F.R.C.P. 60(b), (ii)granting prior motions against Omniglow Corp/Cyalume Technologies for preclusion; (iii) granting Plaintiffs permission to intervene in existing cases against Omniglow orp. & BoschRexroth Corp. (iv) convening a final pre-trial conference related to claims Omniglow/Cyalume Technology and Bosch Rexroth Corp. And scheduling cases for immediate Trials; (v) permitting plaintiffs to amend complaints to state new causes of action in accordance with Ross v. Louise Wise Serv/. Inc. (Orig. docketed in 03cv8960 as document #169. Document filed by Elaine Mayerhofer, Roland Mayerhofer, Agnes Wolf, Herman Geier, Birgit Gotz, Erwin Gotz, Thorsten Gradler, Manfred Hiltel, Markus Hiltel, Volker Kohl, Thomas Kraus. (pl) (Entered: 08/14/2007)

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